

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON STATE ADMINISTRATION**

**Call to Order:** Chairman Dennis Himmelberger, on January 29, 2009  
at 9:00 A.M., in Room 455 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Dennis Himmelberger, Chairman (R)  
Rep. Sue Dickenson, Vice Chairman (D)  
Rep. Jesse O'Hara, Vice Chairman (R)  
Rep. Russell Bean (R)  
Rep. Tony Belcourt (D)  
Rep. Joel Boniek (R)  
Rep. Frosty Boss Ribs (D)  
Rep. Dee Brown (R)  
Rep. Gordon R. Hendrick (R)  
Rep. Pat Ingraham (R)  
Rep. Gary MacLaren (R)  
Rep. Sue Malek (D)  
Rep. Kendall Van Dyk (D)  
Rep. Franke Wilmer (D)

**Members Excused:** Rep. Mary Caferro (D)  
Rep. Ted Washburn (R)

**Members Absent:** Rep. Betsy Hands (D)  
Rep. Mike Phillips (D)

**Staff Present:** Dave Bohyer, Legislative Branch  
Marshall McEwen, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 274, 1/23/2009

Executive Action: HB 109, HB 182, HB 197, SB 7,  
HB 289

00:01:23 Rep. Hands entered the room.

**HEARING ON HB 274**

**Opening Statement by Sponsor:**

00:02:12 Rep. Robin Hamilton (D), HD 92, opened the hearing on  
HB 274, Allow travel reimbursement for poet laureate at  
same rates as state employees.

**Proponents' Testimony:**

00:07:04 Drew Geiger, Montana Cultural Advocacy  
00:07:40 Chairman Himmelberger exited the room.  
00:07:44 Rick Newby, Self

**Opponents' Testimony:** None

**Informational Testimony:**

00:09:40 Arni Fishbaugh, Director, Montana Arts Council

**Questions from Committee Members and Responses:**

00:10:04 Rep. Ingraham  
00:10:46 Rep. Hamilton  
00:11:13 Chairman Himmelberger entered the room.  
00:11:40 Ms. Fishbaugh  
00:12:07 Rep. Ingraham  
00:12:29 Ms. Fishbaugh  
00:12:50 Rep. Brown  
00:13:08 Ms. Fishbaugh  
00:13:24 Rep. Hands  
00:13:43 Ms. Fishbaugh  
00:14:35 Mr. Newby  
00:15:23 Rep. Boniek  
00:15:37 Ms. Fishbaugh

**Closing by Sponsor:**

00:16:11 Rep. Hamilton  
00:17:32 Chairman Himmelberger

00:18:15 Committee takes a break.  
00:37:09 Committee reconvenes. Rep. Caferro is not present after the break.

**EXECUTIVE ACTION ON HB 109**

00:37:32 **Motion:** Rep. Ingraham moved that **HB 109 DO PASS.**

**Discussion:**

00:37:34 Chairman Himmelberger  
00:37:43 Rep. Brown  
00:38:15 Chairman Himmelberger  
00:38:20 Rep. Wilmer  
00:38:39 Rep. Brown  
00:38:46 Rep. Dickenson  
00:39:05 Chairman Himmelberger  
  
00:39:48 **Vote:** Motion carried unanimously by voice vote. Rep. Caferro voted by proxy.  
  
00:39:59 Chairman Himmelberger

**EXECUTIVE ACTION ON HB 182**

00:40:24 **Motion:** Rep. Brown moved that **HB 182 DO PASS.**

**Discussion:**

00:40:28 Chairman Himmelberger  
00:40:45 Rep. Phillips  
00:41:33 Chairman Himmelberger  
00:41:45 Rep. Phillips  
00:42:03 Rep. Caferro entered the room.  
00:42:09 Chairman Himmelberger  
00:42:18 Rep. O'Hara  
00:42:42 Rep. Van Dyk  
00:44:33 Rep. Brown  
00:45:30 Rep. Bean  
00:46:30 Rep. Hands  
00:47:22 Rep. Brown  
00:48:01 Rep. Hands  
00:48:07 Chairman Himmelberger  
00:48:14 Rep. Washburn  
00:48:46 Rep. Boniek  
00:49:29 Rep. MacLaren  
00:50:11 Chairman Himmelberger

00:51:37 **Vote:** Motion failed 6-12 by roll call vote with Rep. Bean, Rep. Boniek, Rep. Hendrick, Rep. Himmelberger, Rep. Ingraham, and Rep. Washburn voting aye.

00:52:42 **Motion/Vote:** Rep. Phillips moved that **HB 182 BE TABLED.** Motion carried 16-2 by voice vote with Rep. Boniek and Rep. Brown voting no.

00:53:12 Chairman Himmelberger

**EXECUTIVE ACTION ON HB 197**

00:53:23 **Motion:** Rep. Ingraham moved that **HB 197 DO PASS.**

**Discussion:**

00:53:26 Chairman Himmelberger

00:53:30 Rep. Wilmer exited the room.

00:53:36 **Motion:** Rep. Ingraham moved that **HB 197 BE AMENDED.**  
**EXHIBIT**(sth21a01)

**Discussion:**

00:53:54 Chairman Himmelberger

00:54:01 Rep. Ingraham

00:55:04 Rep. Brown

00:55:25 Mr. Bohyer

00:55:57 **Vote:** Motion carried unanimously by voice vote. Rep. Wilmer voted by proxy.

00:56:18 **Motion:** Rep. Ingraham moved that **HB 197 DO PASS AS AMENDED.**

**Discussion:**

00:56:26 Chairman Himmelberger

00:56:35 Rep. Ingraham

00:56:50 **Vote:** Motion carried unanimously by voice vote. Rep. Wilmer voted by proxy.

00:57:16 Chairman Himmelberger

**EXECUTIVE ACTION ON SB 7**

00:57:19 **Motion:** Rep. Brown moved that **SB 7 BE CONCURRED IN.**

**Discussion:**

00:57:25 Chairman Himmelberger

00:57:50 Rep. Dickenson

00:58:33 **Vote:** Motion carried unanimously by voice vote. Rep. Wilmer voted by proxy. Rep. Brown will carry the bill onto the House floor.

00:58:52 Chairman Himmelberger

**EXECUTIVE ACTION ON HB 289**

00:59:09 **Motion:** Rep. Phillips moved that **HB 289 DO PASS.**

**Discussion:**

00:59:15 Chairman Himmelberger

00:59:21 Rep. Phillips

01:01:48 Chairman Himmelberger

01:01:53 Rep. Brown

01:02:27 Rep. Phillips

01:02:48 Rep. Van Dyk

01:03:02 Rep. Phillips

01:03:32 Rep. Boniek

01:03:49 Rep. Phillips

01:04:59 Rep. Van Dyk

01:06:08 Chairman Himmelberger

01:06:52 **Vote:** Motion carried unanimously by voice vote. Rep. Wilmer voted by proxy.

01:07:14 Chairman Himmelberger

01:07:26 Rep. Phillips

01:07:50 Chairman Himmelberger

**ADJOURNMENT**

01:08:37 Adjournment

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Marshall McEwen, Secretary

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Additional Documents:

**EXHIBIT ([sth21aad.pdf](#))**